

APPROVED

COMMERCIAL DIVISION
SUPPORT OFFICE

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PRESENT:

At Commercial Division Part 54, of the
Supreme Court of the State of New York,
held in and for the County of New York, at
the Courthouse located at 60 Centre Street,
New York, New York, on 1st day of
~~April~~, 2009.

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HON: SHIRLEY WERNER KORNREICH, JUSTICE

MOTION SEQUENCE # 008

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:
GOLDEN GATE YACHT CLUB, :
:
Plaintiff, :
:
v. :
:
SOCIÉTÉ NAUTIQUE DE GENÈVE, :
:
Defendant, :
:
v. :
:
CLUB NÁUTICO ESPAÑOL DE VELA, :
:
Intervenor-Defendant. :
-----X

Index No. 602446/07
IAS Part 54
Hon. Shirley Werner Kornreich
ORDER TO SHOW CAUSE

Upon reading and filing the annexed affirmation of Barry R. Ostrager, dated April 30, 2009, and the exhibits attached thereto, including the accompanying memorandum of law, dated April 30, 2009 and upon all prior papers and proceedings had herein, it is hereby

ORDERED that Golden Gate Yacht Club ("GGYC"), or its attorneys, show cause before this Court, at Commercial Division Part 54, Room 418, at the New York County Courthouse, 60 Centre Street, New York, New York 10007, on the 14th day of May, 2009 at 9:30 o'clock of that day, or as soon thereafter as counsel can be heard, why an order should not be entered disqualifying GGYC as the Challenger of Record for failure to provide a Custom House

This document has
NOT been
E-Filed

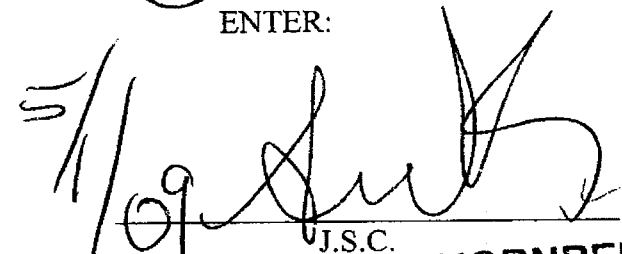
registry of its challenge vessel as required by the Deed of Gift governing the America's Cup, or in the alternative, compelling GGYC to provide Société Nautique de Genève ("SNG") with a Custom House registry of its challenge vessel described in its Notice of Challenge (and launched on August 25, 2008) within 30 days, and granting such other and further relief as the Court deems just and proper; and it is further

ORDERED, that GGYC shall serve and file any opposing affidavits and memoranda no later than the 11th day of May, 2009; and it is further

ORDERED that delivery of a copy of this Order to Show Cause, together with the papers upon which it is based, shall be served by personal service and electronic mail upon Lathan & Watkins LLP, Attn: James V. Kearney, as Counsel for GGYC, at its offices located at 885 Third Avenue, Suite 1000, New York, New York 10022

(James.Kearney@lw.com), on or before the ^{noon on} 4 day of May 2009, shall be good and sufficient service.

ENTER:


J.S.C.
JUSTICE SHIRLEY WERNER KORNREICH

**ORAL ARGUMENT
DIRECTED**


J.S.C.